

Serial Number: 000959

**DIVISIONAL-CONTINUATION APPLICATION TRANSMITTAL FORM**  
**UNDER RULE 1.53(b) (former Rule 1.60)**

DOCKET NUMBER	ANTICIPATED CLASSIFICATION OF THIS APPLICATION:		PRIOR APPLICATION SERIAL NUMBER: 08/461,383	PRIOR APPLICATION FILING DATE: JUNE 5, 1995
CPI-012CP4BCN	CLASS:	SUBCLASS:	EXAMINER: M. PAK	ART UNIT: 1646

ASSISTANT COMMISSIONER FOR PATENTS  
 BOX PATENT APPLICATION  
 WASHINGTON, DC 20231

**CERTIFICATION UNDER 37 CFR 1.10**

Date of Deposit: April 5, 1999Mailing Label Number: EL 266 735 966 US

I hereby certify that this 37 CFR 1.53(b) request and the documents referred to as attached therein are being deposited with the United States Postal Service on the date indicated above in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR 1.10 and addressed to the Assistant Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.

Viriato G. Cardoso  
 Name of Person Mailing Paper

Viriato G. Cardoso  
 Signature of Person Mailing Paper

Dear Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 CFR 1.53(b), of pending prior application serial no. 08/461,383 filed on June 5, 1995, of Dana M. Fowlkes, et al. entitled Yeast Cells Engineered to produce Pheromone System Protein Surrogates, and Uses Therefor.

1. ☒ Enclosed is a copy of the latest inventor signed application, including the oath or declaration as originally filed. The copy of the enclosed papers is as follows:
- ☒ 181 page(s) of specification
  - ☒ 7 page(s) of claims
  - ☒ 1 page(s) of abstract
  - ☒ 11 sheet(s) of drawing (Figures 1-11)
  - ☒ 2 page(s) of declaration and power of attorney.

I hereby verify that the attached papers are a true copy of the prior complete application serial no. 08/461,383 as originally filed on June 5, 1995.

2. ☐ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27, a copy of which is enclosed, was filed in the prior application and such status is still proper and desired (37 CFR 1.28(a)).
3. ☒ The filing fee is calculated below:

	NUMBER OF CLAIMS FILED			NUMBER EXTRA
TOTAL	* 1	MINUS	** 20	= 0
INDEP.	* 1	MINUS	*** 3	= 0
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS				

## SMALL ENTITY

RATE	FEE
x 9 =	\$0.00
x 39 =	\$0.00
+130 =	\$0.00
BASIC FEE	\$0.00
TOTAL	\$00.00

## OTHER THAN A SMALL ENTITY

RATE	FEE
x 18 =	\$00.00
x 78 =	\$78.00
+ 260 =	\$0.00
BASIC FEE	\$760.00
TOTAL	\$838.00

OR

OR

04/05/99

JCS53 U.S. PTO

JCS135 U.S. PTO

09/286166

04/05/99

4. ☐ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 12-0080. A duplicate copy of this sheet is enclosed.
5. ☐ A check in the amount of \$0.00 is enclosed for payment of the filing fee.
6. ☒ Cancel in this application original claims 2-42 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
7. ☐ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claims in the prior application.)

8. ☒ Amend the specification by inserting before the first line the sentence: "This application is a continuation of application Serial No. 08/461,383 filed on June 5, 1995, which is a continuation-in-part of application Serial No. 08/322,137, filed October 13, 1994, which is a continuation-in-part of application Serial No. 08/309,313, filed September 20, 1994, now abandoned, which is a continuation-in-part of application Serial No. 08/190,328, filed January 31, 1994, now abandoned, which is a continuation-in-part of application Serial No. 08/041,431, filed March 31, 1993, now abandoned. The contents of all of the aforementioned application(s) are hereby incorporated by reference."

9. ☐ Please abandon said prior application as of the filing date accorded this application. A duplicate copy of this transmittal is enclosed for filing in the prior application file. (May be used if signed by person authorized by §1.138 and before payment of base issue fee.)

10. ☐

11. ☐ Priority of application serial no. \_\_\_\_\_ filed on \_\_\_\_\_ in \_\_\_\_\_ is claimed under 35 U.S.C. §119.
- ☐ The certified copy has been filed in prior application serial no. \_\_\_\_\_ filed on \_\_\_\_\_.
- ☐ The certified copy will follow.

12. ☒ The prior application is assigned of record to Cadus Pharmaceutical Corporation.

13. ☒ A request for a 4 month extension of time has been submitted in parent application Serial No. 08/461,383 in order to establish copendency with the present application.

14. ☐ Also enclosed is/are .

15. ☒ The power of attorney in the prior application is to Lahive & Cockfield, LLP.

- a. ☐ The power appears in the original papers in the prior application.
- b. ☒ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. ☐ A new power has been executed and is attached.

16. ☒ Address all future communications (May only be completed by applicant, or attorney or agent of record) to Giulio A. DeConti, Jr. at **Customer Number: 000959** whose address is:

Lahive & Cockfield, LLP  
28 State Street  
Boston, Massachusetts 02109

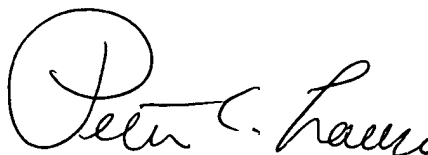
17. ☒ Any requests for extensions of time necessary in the parent application beyond that referenced in item 13 above that are necessary for establishing copendency between this application and the parent application are hereby requested and the Commissioner is authorized to charge any fee associated with such an extension to Deposit Account No. 12-0080.

18. ☒ Pursuant to 37 CFR 1.821(e), the computer readable form of the sequence listing for this new application is to be identical with the computer readable form of application serial no. 08/461,383. Please use the computer readable form of application serial no. 08/461,383 in lieu of filing a duplicate computer readable form in this application. Pursuant to 37 CFR 1.821(f), the content of the paper copy of the sequence listing for this new application and the computer readable form of application serial no. 08/461,383 are the same.

April 5, 1999

Date

LAHIVE & COCKFIELD, LLP  
28 State Street  
Boston, Massachusetts 02109  
Tel. (617) 227-7400



Peter C. Lauro

Reg. No. 32,360

☐ inventor(s) ☐ filed under §1.34(a)

☐ assignee of complete interest

☒ attorney or agent of record

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